

BIGGER EVEN THAN THE STATE

WHAT GERRY'S SOCIETY CAN DO TO YOU THAT YOU CAN'T HELP.

It Can Take Your Wife or Child Away to Its Private Jail, Keep Either There at Its Pleasure and Then Say It Has Made a Mistake—And You Can't Get at It.

Suppose you had just been married. Suppose that somebody who didn't approve of the match went to a private corporation and told a number of lies about you—that your bride was a thief; that she was under the marriageable age; that you had bought her for a few dollars intending to sell her again when you were tired of her, and so on.

Suppose that the private corporation, accepting all these lies as facts, sent its agents to your house the night after your wedding, took your wife away to its private jail and locked up you and your wife's nearest friend as kidnappers. Suppose they took you to court the next day and publicly made charges, elaborations of all this idle gossip, against you. Suppose that day after day the corporation's agents repeated those charges, sneering at your marriage certificate, your bride's tearful protestations and your own indignation and offers of proof, themselves continually offering to prove in a day or two that you and your friends were a bunch of criminals.

Suppose, after more than a week of this, during which your wife had been stripped of her wedding clothes and made to wear those of the corporation's private jail, had been dragged from jail to court and from court to jail, endlessly crossed-examined to try to get from her something that could be twisted into evidence against you—suppose after all that, the corporation took you into court one day and said nonchalantly that it had made a mistake, that it couldn't prove the things it had charged against you, so you could resume your interrupted honeymoon.

And then, when you consulted lawyers to see if you couldn't punish the corporation for doing all this thing to you, suppose the lawyers told you that it was a great pity, but you couldn't; that the corporation was supposed to be actuated by the best of motives, and so the law permitted it to do practically what it pleased; that the Legislature had given it that power and the courts upheld it; that, in fact, the corporation under certain circumstances was beyond the law, bigger than the State that created it—what would be your opinion of the law, the Legislature that had made it and the great State that permitted the exercise of such a power?

Now, all these suppositions, which read almost like a fairy tale of an impossible land where only the bad fairies are in control, are not suppositions at all. These things actually occurred only a few days ago, here in the city of New York, in the case of Moy Hwang, the Chinese bride who for nine days was kept away from her husband and her friends in the private jail of the corporation which calls itself the Society for the Prevention of Cruelty to Children, but which most people know best as the Gerry society. Gerry is the autocrat who by skillful manipulation of successive Legislatures has secured for it the enormous powers it wields unchallenged save by the very poor.

Briefly this is what happened to Moy Hwang. She was married on Monday, March 28, to Lee Hoy, a respectable Chinese merchant of Mott street, by a fully qualified clergyman. On Tuesday the Gerry society heard a tale that she had been kidnapped in China, that she was 13 instead of 19 years old, and that Lee Hoy had bought her from Mrs. Josephine Toy, the missionary, who had been her guardian, for \$600.

On Tuesday night two Gerry agents descended on Lee Hoy's room, took his life out of bed and carried her away to the Gerry rooms. They put her husband and Mrs. Toy in cells in the Elizabeth street police station. On Tuesday the Gerry society charged the two with kidnapping the girl, who looked young, as many Chinese matrons do. They repeated all the gossip till they could get no more out of her. They had it adjourned five times more, for one of her friends or any outsider to speak to the bride, look away her clothes and dressed her in their own. The result was that they were right in doing all this.

After nine days they brought her to court one day and the attorney coolly made this announcement:

"I wish to withdraw these charges. We have not been able to obtain any evidence in this case."

Out of court he offered this further statement: "Out of this matter has grown one much larger and more important. We will correct the whole system of doing these things in Chinatown."

Ever since then Gerry agents, to cover their own ill doing, have been making life miserable for the unfortunate residents of Chinatown. They have been hunting through houses, searching private apartments, questioning tenants and generally making existence a burden for the people who live down there. And the visible outcome is nothing at all.

The incidents in this case have set a number of persons inquiring into the source and extent of the tyrannical authority wielded by the society. The result has been startling to the inquirers, although it has been known for years to persons whose business has real connection with the society's workings and the almost limitless power it possesses.

It is the opinion of eminent lawyers that not only can the society do all these things within the law, but so long as its agents can make a fairly reasonable pretense of having acted in good faith, the victims, in practice, have no legal remedy. The society is wrong. They can sue, of course—anybody can do that—but in the opinion of men who are competent to judge, the probability of any sufferer being able to secure a penny's worth of damages or the disciplining of a single overbearing officer of the society.

And it is also the opinion of lawyers whose experience in such matters entitles them to speak with authority, that what happened to the Chinese woman, the wife of Hoy and her husband, may happen equally to the son and daughter of any citizen of New York, whether living in Fifth avenue or in Pell street, and that unless their friends are powerful enough to bring private pressure to bear upon the men who run the Gerry society—such things have been known—the result will be the same, if not worse.

Successful legislatures, skillfully handled by Elbridge T. Gerry, a wealthy man who has sedulously cultivated a reputation for a certain sort of officious philanthropy, have conferred upon this society, a private corporation, one power after another, exemption from the ordinary law following on other, until the society under certain contingencies is above the law—bigger than the State itself.

By further skillful manipulation of these powers the society has until now been able to wield authority even beyond any that the Legislature ever intended to confer upon it. In practice all the institutions to which minors are committed by the Gerry society are under its thumb. The society can make them prosperous or it can ruin them. Naturally, they do as they please.

The Gerry agents have practically the powers of policemen. They make arrests at pleasure, prosecute in the courts, do all that Central Office detectives do and more. Yet they are responsible neither to the courts nor to any public body—only to Mr. Gerry's private society.

impressed with its potentialities for good work, thousands of dollars a year. Yet it is subject to no public control of any kind whatever.

The Constitution of the State of New York provides that the State Board of Charities "shall visit and inspect all institutions, whether State, county or municipal, incorporated or not incorporated, which are of a charitable, eleemosynary, correctional or reformatory character," except such as are subject to the visitation and inspection of the State Board of Prisons or the State Commission in Lunacy. The Gerry society is subject to the visitation of neither of the last named bodies.

The law provides that it shall be the duty of the State Board of Charities "to visit, inspect and maintain a general supervision over such societies" as those named in the constitutional provision. At first glance it might seem that the board would also supervise the Gerry society; but not a bit of it.

Five years ago Mr. Gerry shut the society's door in the board's face and, by one of the most remarkable decrees ever promulgated in this State, the Court of Appeals, upholding a decision of the Appellate Division, sustained him by a vote of 4 to 3.

The court held that the society was neither a correctional nor a charitable institution, but a quasi-public institution to which the Government of the State had delegated all its powers. That left the society free from supervision of any kind. For five years no official inspector of the State has crossed the society's threshold.

The law which it pleases the society to conduct its private jail as it pleases; feeds its prisoners—its superintendent does that under a profitable contract—as it pleases; releases or detains in the institutions it has under its thumb the minors committed to them by the courts on its recommendation, as it pleases. It furnishes such accounts of its receipts and expenditures to the public as it pleases. Generally it does what it thinks fit, immune from all control.

One interesting point about its operations is that in the opinion of eminent lawyers there is no power in the State of New York which can release a minor once regularly committed to an institution through its agency.

It would take a page of THE SUN to tell about all its exemptions from control. You find them in every other statute. Its private jail not even the State Prison Board may enter without leave. It is bigger than the board, above the ordinary law which committed to an institution through its agency.

And to all intent and purpose it is the private possession and instrument of one man who is no longer even a resident of the State, but who avows off all his personal taxes last year on the ground that he was a resident of Newport, R. I., and was not therefore liable for a penny.

KAISER CHANGES HIS PLANS.

Went to Corfu and His Reasons Are Not Announced.

Special Cable Dispatch to THE SUN. ATHENS, April 18.—Emperor William has suddenly abandoned his proposed visit to Corfu. No reason for the change in his plans is announced. Two Greek warships that had been ordered to attend to the German Imperial yacht Hohenzollern to Corfu have been recalled.

VIENNA, April 18.—There is lively speculation here regarding the change in the plans of Emperor William. The three principal guesses as to the reason for the change are his Majesty's health, Anarchists and politics. Official assurances of his good health, however, continue to be emphatic.

The reported presence of dangerous Anarchists in Corfu is believed to be a likelier reason, but this cannot be confirmed. "The only political supposition is that the Emperor wishes to be nearer Naples than Corfu when President Loubet visits Italy."

CHURCHILL NOW WITH LIBERALS

Will Have Their Support in Contest for New Seat in House of Commons.

Special Cable Dispatch to THE SUN. LONDON, April 18.—Winston Churchill, who lately announced that he would not recontest Oldham, which constituency he now represents in the House of Commons, has accepted an invitation from the Liberals to contest the Northwest Division of Manchester as a free trader and as a champion of retrenchment in the expenditures for the navy and other armaments.

Mr. Churchill imposed the condition that he must be assured of the unswerving support of the Liberals. He is convinced that without their support and the backing of the non-party free traders it would be impossible to oust Sir William Houldsworth, the Conservative, who now represents northwest Manchester.

Mr. Churchill, who was elected as a Conservative, does not intimate that he has been converted to Liberalism, and he avows hostility to home rule for Ireland.

SANTO DOMINGO NOW QUIET.

Men From United States Cruiser Take Part in Memorial Service.

Special Cable Dispatch to THE SUN. SANTO DOMINGO, April 18.—By special invitation from the Government 150 officers and men of the United States cruiser Detroit landed to-day to attend the religious ceremonies in memory of the men who fell in the capture of the city one year ago. Peace now prevails throughout the country except at Monte Cristi, which must fall into the hands of the Government very soon.

The captain, officers and marines and bluejackets of the Detroit marched to the cemetery after the services and placed a wreath upon the grave of J. C. Johnson, the engineer of the Yankee, who was killed by the rebels on Feb. 1.

KING IN RAILWAY ACCIDENT.

Car Next to One Occupied by Edward VII.

Special Cable Dispatch to THE SUN. LONDON, April 18.—King Edward, who is in Denmark on a visit to the court of King Christian, was crossing the railway ferry from the mainland to the island of Puenen to-day when the last car but one of the royal train left the rails. The King occupied the last car, which was not injured. The train was delayed two hours.

Bomb Under Moscow Professor's Bed.

Special Cable Dispatch to THE SUN. PARIS, April 18.—A dynamite outrage, directed against Prof. Ivanoff of the Fine Arts Academy, has occurred in Moscow. The Academy had opposed reforms demanded by the students. He found a bomb under his bed and a letter sentencing him to death.

Wrecked British Submarine Sailed.

Special Cable Dispatch to THE SUN. PORTSMOUTH, England, April 18.—The British submarine torpedo boat A1, which was sunk on March 18 near the Nab lightship, off the Isle of Wight, resulting in the death of her crew of eleven men, was raised to-day and towed into the harbor.

Won't Come to St. Louis.

Special Cable Dispatch to THE SUN. LONDON, April 18.—The members of the British Interparliamentary Conference for discussion of the invitation to attend the congress to be held at St. Louis, but did not accept it on the ground of the political uncertainty in Great Britain.

Mad Mullah Campaign Over.

Special Cable Dispatch to THE SUN. LONDON, April 18.—In the House of Commons to-day Mr. Arnold-Forster, Secretary of State for War, said that the Mad Mullah campaign had been discontinued.

JAPAN'S DEBT TO MAKAROFF.

HIS BOOKS TAUGHT HER CADETS TO SINK SHIPS, UCHIDA SAYS.

He Tells Sons of American Revolution That His Country's Fight Is Like Ours Against England—How Colonial Pies Caused a British Retreat.

The Empire State Society of the Sons of the American Revolution held their annual dinner at the Waldorf-Astoria last night in celebration of the 120th anniversary of the battle of Lexington. Consul-General Uchida of Japan said that his country was fighting for the same things that the ancestors of the Sons fought for at Lexington.

"Our ancestors fought tyranny and oppression in order to get liberty and independence and to create a new national existence," he said. "We are fighting the tyranny and oppression of the Russian Government in order to keep our national existence, which has been kept up for 2500 years."

"Ten years ago Russia robbed Japan of her legitimate fruit after the war with China. She is now trying to steal the sympathy of the world by tricks of diplomacy. The theory of the yellow peril was invented in Europe ten years ago to facilitate greed and oppression, and now Russia is expounding it."

"We stand for liberty and independence. We stand for freedom of speech, press and faith. That is what Russia calls the yellow peril. Perhaps they can fool their own people, but they can never deceive you Americans."

"We admire the late Admiral Makaroff as a most distinguished naval officer. He has written many books which are used in our Naval Academy and from which our cadets have learned how to destroy the enemy's ships. To say that those ships were destroyed by our mines is no glory to him, but to say they were destroyed by his own mines is a disgrace to his memory."

The Rev. Dr. John C. Adams of Hartford, Conn., threw some light on the retreat of the British after the battle of Lexington. He said that his great-grandmother, a Quaker, was one of the causes of the British retreat. Underneath her mother's house, he said, and she showed them several barrels of feathers. At least, there were feathers on top. Underneath were bullets. That was the beginning of American diplomacy. Then she took them downstairs and gave them a traditional New England breakfast, consisting of pie and doughnuts. After that the retreat began.

Commissioner McAdoo sent a letter of regret in which he spoke of the value of patriotic societies in preserving the ideals of the Revolutionary fathers.

Walter S. Logan, chairman, and others who spoke were Gen. Stewart L. Woodford and Robert B. Roosevelt.

ANOTHER IN NORDICA CASE.

Herr Doehme's Motion Said to Interest Two Other Gentlemen.

Herr Doehme's motion to prevent Mme. Nordica from entering an absolute decree of divorce against him will come up for argument next Thursday in the Supreme Court, and it is expected that interesting revelations will accompany the argument.

Doehme is said to have employed new counsel to argue the motion.

In addition to the New Jersey capitalist who is said to have an interest in the progress of Mme. Nordica's suit, there is said to be another wealthy man who would like to see the present trouble settled and disposed of before any further relations are permitted. He met the soprano in Europe, it is said, and his feelings for the Jerseyman in the case are believed to be of the green-eyed variety.

If the present suit is ever reopened, as the Dodge-Morse case was, both these admirers of Mme. Nordica may find themselves on the witness stand. All the lawyers interested in the case had but one reply to questions put to them yesterday.

"Wait until Thursday," they said, "and then perhaps you'll know as much as we do."

JEWELLERS' BUILDING BOUGHT.

New Owner for Black, Starr & Frost's Shop on the Crest of Murray Hill.

The building occupied by the jewelry store of Black, Starr & Frost, at the southwest corner of Fifth avenue and Thirty-ninth street, has been sold. It is a seven-story structure, measuring 25 by 100 feet, the crest of Murray Hill. All the last years interested in the case had but one reply to questions put to them yesterday.

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HIS THIRD DEAL IN MILLIONS.

Isaac H. Clothier's Busy Month in New York Really Swapping.

Isaac H. Clothier of Philadelphia closed yesterday his third million dollar deal in New York realty within a month. This one involved an exchange of vacant lots for investment property.

Mr. Clothier traded the block front of sixteen lots on the east side of Broadway between 121st street and 122d street and a gore comprising three lots at 147th street and Wadsworth avenue for the Jefferson building at 118 and 120 West Twenty-third street. This is a twelve-story office and loft structure, running from 112 to 114 West Twenty-fourth street.

It belonged to Louis and Samuel Sachs. The aggregate value of the properties exchanged was \$1,250,000. The exchange was put through by Charles E. Schuyler & Co.

Mr. Clothier recently took the big Euclid Hall apartment house on the West Side and the new office building at the Broadway in trade for uptown lots, chiefly on Washington Heights.

SIR HENRY THOMPSON DEAD.

Surgeon, Author, Painter and Astronomer Was 84 Years Old.

Special Cable Dispatch to THE SUN. LONDON, April 18.—Sir Henry Thompson, the well known surgeon, died to-day. He was born in 1820 and was the author of many works on medical and surgical subjects.

He was also a painter, and had exhibited a number of his works in this line at the Royal Academy. He was also known as an astronomer, and had an observatory of his own in the country.

NEW WINTER RECORD TO LONDON.

Kaiser Wilhelm II. Passengers Get There in Five Days, 28 Hours, 50 Minutes.

Special Cable Dispatch to THE SUN. LONDON, April 19.—The steamer Kaiser Wilhelm II., from New York, arrived at Plymouth at 2:25 o'clock this afternoon. A special train brought her mails and some of her passengers to London in 4 hours 15 minutes. The time from New York to London by sea and land is the shortest yet, which is the record for the winter route.

LIBSON PRESS TO SUSPEND.

Twenty-one Newspapers Will Reject Compositors' Demand for Higher Wages.

Special Cable Dispatch to THE SUN. LIBSON, April 18.—The newspapers of this city, numbering twenty-one, have decided to cease publication owing to the demand of the compositors for higher wages.

For
**Appetite, Health
and Vigor—**

ANHEUSER-BUSCH'S
Malt-Nutrine
TRADE MARK.

The Only True Malt Tonic

It is invaluable to nursing mothers, feeble children, the aged, infirm and convalescent.

Malt-Nutrine is not an alcoholic beverage, but a predigested food in liquid form, easily assimilated by the weakest stomach.

Its merits are in the contents of the bottle and not on the label, as is the case of many so-called malt extracts.

Malt-Nutrine is sold by all druggists and grocers. Served at all health resorts and summering places.

Prepared only by the
Anheuser-Busch Brewing Ass'n
St. Louis, U. S. A.

Also Brewers of Budweiser, the World's Most Famous Bottled Beer.

A cordial invitation is extended to all visiting St. Louis and the Louisiana Purchase Exposition to inspect the Anheuser-Busch Brewery, where competent guides, speaking all modern languages, will be at their service.

ARRESTS STREET SPRINKLERS.

Dr. Woodbury Says They Weren't Thorough and Decides to Try an Ordinance.

Street Cleaning Commissioner Woodbury decided yesterday afternoon that two drivers of watering carts were not sprinkling Fifth avenue with enough water to clean the asphalt pavement thoroughly, so he had them arrested. He based his action on Sec. 3 of the Street Cleaning ordinance, which was passed on March 23, 1903, and which says that "it shall be the duty of the water carriers to keep the streets of the city clean and free from dirt and filth by sprinkling the streets of the city with water sufficient to thoroughly wash off and clean the same."

The drivers, Henry Wollworth and Warden, who are employed by a contractor, were arrested for violating the ordinance, and the Commissioner acted under Section 3 of the City Charter, which provides that the Street Cleaning Commissioner "shall have cognizance and control of the sweeping and cleaning of the streets."

Dr. Woodbury was very much in earnest over the affair and said that he intended to make it a test case. In the Jefferson Market police court Magistrate Wines said that the prisoners for examination to-morrow.

FIRST PRESIDENT OF IRELAND.

Son of Major McBride and Maude Gonne Nominated by Pope.

Major John McBride, who married Maude Gonne, and also attained distinction fighting for the Boers, arrived yesterday aboard the French liner La Bretagne from Havre. The Major said that he had not been in Ireland for several years and was not likely to go there unless as a soldier to fight England. While he could not revisit his native land, his wife could, and she is there now. He recently had a little boy, Sean, christened. The Major expressed the hope that the boy would be the first president of the Irish republic.

Dr. Wadley was an American marine artist, also arrived by La Bretagne. This is his first visit to America since he went abroad eighteen years ago to study. His picture, "The Fishing Boat," will be exhibited at the St. Louis exposition.

WANT A PERISHABLE PUP?

Uncle Sam Has One for Sale Auction Next Friday.

Does anybody want to buy a perishable pup? A notice posted on the bulletin board at the Public Stores building reads to the effect that "in pursuance of the provisions of Section 2976 of the Revised Statutes, one small dog and two cases of chestnuts will be sold at public auction as perishable unclaimed merchandise at the seizure room, 641 Washington street, Friday, April 22, 1904, at 11 o'clock A. M." The dog was imported on the steamship Grosse Kurft from March 7, 1904. He is a lively little black fellow and doesn't look more perishable than other dogs. The chestnuts are older, having been imported by the steamship Prinz Oskar on Dec. 30, 1903.

CRAPS.

The Law Lets Trifles Slide on This Particular Occasion.

"How is craps playing, anyway?" asked Judge Cowing, in the General Sessions, yesterday, after listening to testimony against Wyatt Johnson, a negro, on trial for running a crap joint. "I don't understand it."

"No, and you never will," said District Attorney Jerome, who had just entered court. "I have never been able to fathom it, and I think the Court's time would be better occupied in trying some more important case."

Judge Cowing thought so, too, and the defendant Johnson was discharged. It was Mr. Jerome's birthday.

SUIT AGAINST WHISKEY TRUST.

Ernsts Want to Undo One of the Successive Steps in the Merger.

Part of the long pending litigation against the Whiskey Trust came to a head yesterday when the suit of Moritz L. and Carl Ernst against the American Spirits Manufacturing Company and its directors and subsidiary companies was put on trial before Supreme Court Justice Davis.

The Ernsts, who hold \$400,000 of stock, allege that frauds were committed in the course of the formation of the trust, and they ask for an accounting. They want to compel the individual defendants, who include Samuel M. Rice, Theodore H. Wentworth, Julius S. Bache, Howard J. M. Cardeza, Edson Bradley, Rudd C. Rann, R. B. Harshorne and P. Lewis Anderson, to pay over to the stockholders of the company its assets and properties, which, it is alleged, were wrongfully diverted.

The companies affected by the suit, in addition to the American Spirits Manufacturing Company, are the Spirits Distributing Company, the Kentucky Distillers and Warehouse Company, the Standard Distilling and Distributing Company and the Distilling Company of America.

The complaint seeks to have the acquisition of the last company of stock in the Manufacturing and the other companies declared to be unlawful, and also asks that the defendants as a whole be enjoined from controlling or otherwise interfering with the Manufacturing company's trade, stock or assets.

The business is now in the hands of the Distillers Securities Corporation, a holding company which took over the stock of the Distilling Company of America, which took over the American Spirits Manufacturing Company.

SAME OLD GIRL WINS.

The Beauty Apple of the "Prince of Pilsen" Show Kept in the Family.

A "beauty show" to select the New York girl for the song of the cities in the "Prince of Pilsen" was held at Daly's Theatre yesterday. The "Prince of Pilsen" goes abroad soon, and the management announced that it wanted to pick an unusually attractive girl for the New York part. Then the girl who takes the part at present was unanimously selected to hold on to her job.

According to the press agent, John Jacob Astor and Harry Lehr had been asked to do the judging. Mr. Astor couldn't come because he didn't want to, or never intended to, or something like that; but, according to the press agent, Harry Lehr consented to come and then threw up the job on suspicion that the management intended to coax a copy publicity about him by having reporters there. So the reporters were drafted for judges.

It was announced that at least two hundred girls would present their charms for contest. About a dozen showed, and because of the absence of Harry Lehr or for some other cause, they were stepped in by the last company of stock in the Manufacturing and the other companies declared to be unlawful, and also asks that the defendants as a whole be enjoined from controlling or otherwise interfering with the Manufacturing company's trade, stock or assets.

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MEDALS FOR BRAVE COPS.

Coyne, O'Brien and McNierney Get 'Em for Their Deeds of Heroism.

The names of the three policemen who will receive the high honor medals this year were announced by Commissioner McAdoo yesterday. They are Michael J. Coyne of the Delancey street station, Christopher C. O'Brien of the East 120th street station and Joseph McNierney of the East Sixty-seventh street station.

Coyne rescued a man from the East River when the water was full of ice. O'Brien crawled under an electric car and pulled out a man who was being burned. O'Brien was badly scalded in making the rescue. McNierney saw a man who was being burned. McNierney saw a man who was being burned. McNierney saw a man who was being burned.

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